

REMARKS

Claims 1-17 and 33-38 are pending. Claim 1 is the sole remaining independent claim.

In the action mailed September 8, 2006, the Examiner pointed out that Applicant did not point to any support for claims 33-38. Applicant did not do so because support for these claims is believed to be self-evident from the application as filed.

In light of the fact that no new matter rejection was issued, Applicant will assume that the Examiner was able to locate the necessary support without applicant's assistance.

Claim 1 was rejected under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 6,300,019 to Ikeda et al. (hereinafter "Ikeda"), the publication entitled "Numerical and Experimental Studies of Pellicle-Induced Photomask Distortions" from Proc. SPIE Vol. 4562, pages 641-651, by E.P. Cotte et al. (hereinafter "Cotte"), and any one of U.S. Patent No. 6,548,129 to Matsukura et al. (hereinafter "Matsukura"), European Patent Publication No. 0416528 to DuPont (hereinafter "DuPont"), or U.S. Patent No. 5,693,382 to Hamada et al. (hereinafter "Hamada").

Claim 1 relates to a method that includes clamping a flexible pellicle between a first frame member and a second frame member, mounting the pellicle frame to a reticle by attaching at least one of the first frame member and the second

frame member to the reticle, and lithographically exposing a substrate to a pattern on the reticle with the pellicle frame mounted to the reticle. The first frame member and the second frame member join to form a pellicle frame.

The rejection of claim 1 is based on the contentions that 1) Ikeda describes the mounting of a single pellicle membrane on two different frames, and 2) the recitation of "clamping a flexible pellicle between a first frame member and a second frame member" is not entitled to patentable weight unless Applicants show the "criticality" of why clamping is needed.

Applicant respectfully disagrees with both contentions. As for the first contention, attention is respectfully directed to FIG. 2 of Ikeda which shows two pellicles 25 mounted on a mask. See Ikeda, col. 4, line 47-48. One pellicle is above the mask (i.e., the "upper pellicle") and one is below the mask (i.e., the "lower pellicle"). See Ikeda, col. 4, line 51-56; FIG. 2. Since the configurations of both pellicles are the same, each pellicle 25 incorporates a single pellicle frame 20. See Ikeda, col. 4, line 57-58. Thus, Ikeda maintains a one pellicle-to-one frame ratio in FIG. 2.

This one pellicle-to-one frame ratio is maintained throughout Ikeda. See Ikeda, FIGS. 1, 2, 4, 5A, 6A, 6B, 7A, 7B, 9A, 9B. This is true even for the "second embodiment" of Ikeda's FIG. 4, which was cited in the rejection as allegedly

showing a single pellicle on two different frames. In this regard, FIG. 4 includes a single L-shaped pellicle frame 20 that includes a first frame portion 20A and a second frame portion 20B. See *Ikeda*, col. 5, line 40-42. FIG. 4 of *Ikeda* makes it clear that frame portions 20A, 20B are simply different portions of the same single pellicle frame 20. For example, the cross-hatching indicating a cross section is continuous between frame portions 20A, 20B and there is no break or other space between the frame portions. Thus, the one pellicle-to-one frame ratio is maintained even in *Ikeda*'s "second embodiment."

Against this backdrop, the rejection contends that the recitation of "clamping a flexible pellicle between a first frame member and a second frame member" is not entitled to patentable weight unless Applicants show the "criticality" of why clamping is needed.

Applicant respectfully disagrees. Every reference of record appears to maintain the one pellicle-to-one frame ratio discussed above. See, e.g., *Cotte*, FIG. 3; *Matsukura*, Abstract (describing a frame and a pellicle membrane bonded to the frame); *DuPont*, FIG. 1; col. 6, line 26-49; *Hamada*, col. 4, line 36-40 (describing that the pellicle membrane is bonded to the frame). None of the cited references are understood to describe or suggest a first frame member and a second frame member, much less the clamping of a flexible pellicle therebetween, as

recited in claim 1. Indeed, one of ordinary skill who read the references would find no reason to depart from the gluing of one pellicle to one frame described in the other references.

Therefore, even if Ikeda, Cotte, Matsukura, DuPont, and Hamada were combined in the manner suggested, one of ordinary skill would not arrive at the recited subject matter. A *prima facie* case of obviousness has thus not been established. Applicant need not establish criticality or any other factor since the burden of proof lies with the Office.

Accordingly, claim 1 is not obvious over Ikeda, Cotte, Matsukura, DuPont, and Hamada in any combination. Applicant therefore respectfully requests that the rejections of claim 1 and the claims dependent therefrom be withdrawn.

As a final matter, the Office action mailed September 8, 2006 includes a number of assertions and innuendos regarding the scope of the claims. Many of these are false, misleading, mischaracterize the scope of the claims, are tangential to examination, and/or are otherwise incorrect or improper. For example, the Office action contends that claim 1 relates to a way of obtaining a flexible pellicle and that claim 1 requires "specifically using a clamp." As yet another example, the Office action implies that the scope of claim 1 somehow requires a clamping method as "specifically disclosed" in FIGS. 2B, 4B,

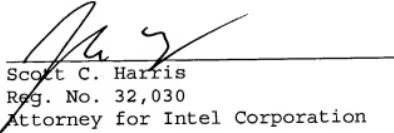
and 5B and that claim 1 somehow requires Ikeda's pellicle to be "located exactly at the middle of [a] two-frame structure."

Applicant respectfully disagrees with these and any other past or future innuendos and assertions regarding the scope of the claims. Instead, applicant submits that the scope of the claims is clear and requests that their scope be construed without reliance on these and any other such innuendos and assertions.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicant thus asks that all claims be allowed. No fees are believed due at this time. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,


Scott C. Harris
Reg. No. 32,030

Attorney for Intel Corporation

BY
JOHN F. CONROY
REG. NO. 45,485

Fish & Richardson P.C.
PTO Customer No. 20985
12390 El Camino Real
San Diego, California 92130
(858) 678-5070 telephone
(858) 678-5099 facsimile

SCH/JFC/jh;
10652558.dcc